

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

- - -

ANDREA LEIBA,) No. C-2020-3017429
)
Plaintiff,)
)
vs.)
)
PHILADELPHIA GAS WORKS,) 801 Market Street
) Suite 4063
) Philadelphia, PA 19107
Defendant.)

- - -

Initial Call - In Hearing
Tuesday, July 10, 2020
Commencing at 10:20 a.m.

- - -

Before Eranda Vero, Administrative Law Judge

- - -

APPEARANCES (via telephone):

Laureta Farinas, Esq.
800 W. Montgomery Avenue
Fourth Floor
Philadelphia, PA 19122
For Philadelphia Gas Works

Andrea Leiba, For Herself

- - -

Reporter: Samantha McNett, RPR, CRR

- - -

REPRODUCTION OF THIS TRANSCRIPT IS PROHIBITED
WITHOUT AUTHORIZATION FROM THE CERTIFYING AGENCY

- - -

NETWORK DEPOSITION SERVICES
412-281-7908

- - -

Pages 1-41

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

	INDEX TO WITNESSES				
	WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
1					
2	Andrea Leiba	7	12	--	--
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1	INDEX TO EXHIBITS
2	(No exhibits were marked.)
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- - -

(Whereupon, the proceedings commenced
at 10:20 a.m.)

THE COURT: Good morning. This is the time
and place for the hearing in the matter of Andrea Leiba
versus Philadelphia Gas Company at docket number
C-2019-3017419. My name is Eranda Vero and I am the
administrative law judge assigned to preside over this
matter.

Present here this morning on the telephone,
I have the complainant, Andrea Leiba, and for
Philadelphia Gas, I have Mr. Laureta Farinas who is the
attorney representing the company.

Mr. Farinas is accompanied by two potential
witnesses for PGW.

Now, before we begin this hearing, I would
like to go over, basically, some of the rules and
regulations that govern a hearing before this
commission. This hearing will be similar, not
identical, but similar to a trial in court in that both
parties will have an opportunity to present evidence in
the form of sworn testimony and exhibits.

Ms. Leiba, since I'm saying this, you will
present your case first. I would like for you to go
into some detail of what made you file the complaint

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

5

1 against PGW, what you're missing from the commission --
2 or what you're looking for from the commission.

3 MS. LEIBA: So I'm --

4 THE COURT: Wait. Wait. Wait.

5 MS. LEIBA: I'm sorry.

6 (Simultaneous crosstalk.)

7 THE COURT: -- explain the process and then
8 I will turn it back to you.

9 Okay?

10 You go first and I need to hear from you in
11 regard to this case. I know you did so in writing, but
12 that's just the complaint and this is the hearing so
13 you'll have to do it over again for the record.

14 Okay?

15 I would like for you to go in chronological
16 order of events, what happened first, you have names,
17 dates, dollar amounts from the company. You don't
18 remember the exact date, it's okay to give me the month
19 and the year or just the year or if it's 2019 or
20 whatever. The important thing is that you have
21 everything in order and I can follow your testimony.

22 Once you have completed your direct
23 examination and stated your case, stated your side of
24 the story, then PGW may ask you some questions. That is
25 called cross-examination.

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

6

1 Once the attorney for PGW has asked his
2 questions, I may ask you some questions as well because
3 my job is to develop a clear and complete record in this
4 case and sometimes asking questions helps me do that,
5 but it doesn't mean that I'm actually your -- acting as
6 your attorney.

7 Do you understand?

8 MS. LEIBA: Yes.

9 THE COURT: Okay. Once we have completed
10 your case, then PGW will put forth its side of the
11 story. So Mr. Farinas will call his first witness.
12 That witness will testify. You can ask the witness any
13 questions that you may have.

14 Once the witness has completed his statement
15 or her statement, then you can ask the witness any
16 questions that you have and then Mr. Farinas will call
17 the second witness and the process will be repeated.
18 That will present all his testimony.

19 In the end, I will turn it over to you and
20 ask if you have any questions.

21 Okay?

22 Just try not interrupt each other too
23 much --

24 (Simultaneous crosstalk.)

25 (Court reporter interruption.)

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 THE COURT: -- entire story before they
2 start asking you questions. Don't interrupt the train
3 of thought.

4 All right?

5 So do you understand what -- I mean, how
6 this hearing will be conducted?

7 MS. LEIBA: Yes.

8 THE COURT: Very good.

9 So before -- are you ready to testify on
10 your behalf this morning? Are you ready to testify --

11 MS. LEIBA: Yes.

12 THE COURT: Okay. Very good.

13 Before I do that, I need to swear you in
14 first. So please raise your right-hand.

15 - - -

16 ANDREA LEIBA, having been first duly
17 sworn, testified as follows:

18 DIRECT EXAMINATION

19 (In narrative form)

20 THE COURT: Very good. Please state your
21 name, spell your last name for the record.

22 MS. LEIBA: It's Andrea Leiba. Leiba is
23 spelled L-E-I-B, as in boy, A.

24 THE COURT: Thank you. What is your current
25 address? Not necessarily the address involved in the

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 complaint, but where do you reside? Where do you
2 receive mail?

3 MS. LEIBA: Right now, 4902 Brown Street.

4 THE COURT: Okay. Is this in Philadelphia,
5 Pennsylvania?

6 MS. LEIBA: Yes.

7 THE COURT: ZIP code?

8 MS. LEIBA: 19139.

9 THE COURT: All right. And that's the
10 address that is at the heart of this complaint?

11 MS. LEIBA: Yes.

12 THE COURT: All right. Thank you. You may
13 start your statement of testimony. Tell me what's going
14 on, what brought you here.

15 MS. LEIBA: Well, when I -- I moved back --
16 you have to get dates and stuff like that. Okay? So I
17 moved back in my house when my -- the guy -- the guy
18 that was in my house, he moved out.

19 He was there for, like -- how long? I'm
20 thinking he was there, I feel like, three years and
21 he -- before -- everything was fine. My utilities --
22 everything -- when he moved in -- I don't know what he
23 did. He switched it out and he wasn't paying for gas.

24 So I didn't know that that was going on.
25 Even though at times I would be at the house, I didn't

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 go in the basement. I didn't know what was going in the
2 basement and stuff like that. Did -- I do -- I didn't
3 go neglect the backyard. So I didn't know what was
4 going on.

5 So when I moved back in after he moved out
6 and I realized that the gas was still on -- so I'm
7 assuming, like, oh, you know, he still have it in his
8 name. Why he hasn't taken it out yet? Well, let me,
9 you know, go to the gas company and try to switch it out
10 and put it in my name. Okay?

11 So they told me that somebody have to come
12 out or somebody -- so when the guy came out -- the
13 worker for the utility, when he came out, he went in the
14 basement. As a matter of fact, before he came -- of
15 course, I was in my basement -- I had no idea that that
16 was going on. I thought it was some fancy electrical
17 situation, you know, because it was a yellow cord and
18 stuff. I didn't know what that was.

19 So I called the guy -- I mean the company
20 and they brought the guy out, and they said, hey, you
21 know, somebody, you know, was doing some illegal
22 situation. I'm like, oh, well, you know, I just came
23 back in the house. I didn't know -- I didn't know that.
24 I thought that's how it was supposed to be. I don't
25 know anything about that.

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 So he switched -- he took all that stuff
2 out. I think he put some type of lock on there and
3 stuff like that. He gave me a receipt. So I said, so
4 what am I supposed to (unintelligible).

5 (Court reporter interruption.)

6 THE COURT: Ms. Leiba, I can hear you fine,
7 but I see the reason why the court reporter cannot hear
8 you as well as I can is because you're connected to my
9 line.

10 MS. LEIBA: So when this guy -- so after the
11 guy came out, he gave me a receipt and told me to make
12 an appointment with PGW.

13 So I went -- when I went there and I told
14 them -- you know, I guess they already knew the
15 situation because the guy, you know, must have gave them
16 their report and they said oh, you know what, we can't
17 do that because, you know, you was doing this illegally,
18 and I said, well, it wasn't me.

19 And the reason why I did -- I wanted to file
20 a complaint or go to court on this even though it's my
21 house -- because no one's at the -- the gas company
22 couldn't do anything for me. So I said, okay, fine. If
23 the gas company can't do anything for me because it was
24 illegally and it was my house, assumed that I was doing
25 it, maybe it's something better or different that the

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

11

1 courts can do for me. They can't say the same thing as
2 the gas company. That's what I'm assuming, right? It
3 got to be something that they can do for me.

4 So I said, okay, I'm going to file and
5 that's where I'm at right now with everything. Kind of
6 lost my chain -- you know, my thoughts because of the
7 interruption. I'm sorry.

8 I'm really -- but I guess that's basically
9 it. They just telling me that I'm responsible because
10 it's my house. So I said -- they said I can get their
11 help. So hopefully the courts can do something
12 different where I can just dismiss the -- the amount can
13 be dismissed and I can just start all over or something.

14 Because at the end of the day, it's still
15 not fair. When you rent out your house to people, you
16 don't really know what they going to do. Sometimes --
17 sometimes you don't and -- you know what I mean?

18 And especially if you're not educated and
19 you don't know anything about gas -- I mean the gas
20 company and how that work and how to set up the -- I
21 didn't go to school for that, so I didn't think it
22 was -- I thought everything was normal. You know what I
23 mean?

24 So I just really think that it's unfair that
25 the law or, you know, is stating that. No. No. It's

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

12

1 still you. It's still your responsibility. I just
2 believe that's so unfair.

3 So that's why I'm here asking and seeking
4 for your help.

5 THE COURT: Okay. All right. Mr. -- okay.

6 Mr. Farinas, do you have any questions for
7 Ms. Leiba?

8 MR. FARINAS: Yes, I do, your Honor.

9 CROSS-EXAMINATION

10 BY MR. FARINAS:

11 Q Good morning, Ms. Leiba. How are you?

12 A Yes. Good morning. I'm good.

13 Q Your testimony seems to center around the
14 (unintelligible) that when you were renting out
15 your property, but can you tell me: When did you
16 acquire the property?

17 A I had this property in 2005. And he's not
18 the only renter but -- yeah, since 2005. Yes.

19 Q Okay. Did you ever have gas in your name at
20 the property?

21 A Yes, I have.

22 Q Can you tell me the years that you had gas
23 in your name?

24 A Of course. Around 2005, 2006. Oh, my gosh.
25 I don't remember that. I was living there -- not

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 too long after I rented out to the first person and
2 then -- and then current. So maybe, if I'm not
3 mistaken -- I just don't remember the dates at all.

4 Q Okay. How many tenants did you have over
5 the years at the property?

6 A Well, really -- it's really only Terrence.
7 The other person was just a friend so it's really
8 only Terrence. Terrence was renting it out.

9 The girl -- the other person that was there,
10 she was living there with me so I don't really look
11 at it as renting it out, but Terrence was the one
12 renting it for a long time. Like, a very long
13 time.

14 Q Did you have a lease with Terrence?

15 A Yes, I did.

16 Q So do you remember the term of the lease,
17 when did he move in, when did he move out?

18 A Terrence moved in in two thousand -- I think
19 it was about 2005, and he moved out probably in
20 September -- January, February, March -- August.
21 Because I remember I was supposed to take my car
22 back to the leasing company. So around, like,
23 September of 2018.

24 Q And did you have a lease with him, a written
25 lease?

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

14

1 A Yes. Yes.

2 Q Okay. I know you're in your car so I'm
3 assuming you don't have it with you, but if you
4 could --

5 A Yes.

6 Q -- verify.

7 So you're saying he lived there for
8 13 years?

9 A Yes.

10 Q And can you tell me his last name?

11 A Shoot. You might think this is weird, but
12 Terrence -- my gosh. I don't -- I have -- I don't
13 know his last name at all. I really don't. But I
14 don't -- I'm so sorry about that.

15 Q Okay. You said you had someone else there
16 but you said was more of a roommate.

17 When did they live there?

18 A Yeah. After -- after -- well, they were
19 there when I -- when I bought the house. I was
20 sick. Like, five years. I mean -- I mean since I
21 bought the house. And then Terrence --

22 (Simultaneous crosstalk.)

23 (Court reporter interruption.)

24 Q Excuse me. Is this a multiunit property?

25 A No. It's just a house, three-bedroom house.

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 It's no sections or anything like that. It's a
2 regular house.

3 Q Your testimony -- your testimony was that
4 Mr. Terrence lived there 2005/2006 all the way to
5 2018 and -- but then you said when the person that
6 was your roommate lived there -- again in 2005. So
7 whose roommate was that person? Terrence's
8 roommate? Or yours?

9 A No. No. That was mine. If I'm getting the
10 dates -- I'm confused. We was there -- we went --
11 me, her, and Terrence. No. It was just me and her
12 when I first bought my house. Maybe I got the
13 dates wrong but it was just me and her, and then
14 after Terrence moved in -- after -- you know, Kelly
15 moved out.

16 Q So when -- who -- did you have gas service
17 in your name when your roommate was there?

18 A Yes.

19 Q And what was your roommate's name?

20 A I didn't want to put her in there, but her
21 name was Rosemary Crawford.

22 Q Rosemary Crawford?

23 A Uh-huh.

24 Q Right. Do you know if she had gas in her
25 name?

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 A Yeah. She did put -- she did at one point
2 put the gas in her name, yes.

3 Q So how long did Rosemary Crawford live at
4 the address?

5 A Me and her together, really. Since two
6 thousand -- 2005, 6, 7, 8, 9, 10. So I guess,
7 like, five years after Terrence.

8 Q So did Terrence move in after you and
9 Rosemary Crawford moved out?

10 A Yes. Yes. Yes. Yes. Yes.

11 Q So he couldn't have lived there from 2005 to
12 2018?

13 A No. No. Not to -- no. It's been -- I
14 guess two thousand -- 2010 to 2018.

15 Q And did he leave under pleasant
16 circumstances? Mr. Terrence?

17 A No. I just told him that I wanted to move
18 back in. My son was coming home and I didn't have
19 the space where I was so I told him that I wanted
20 to move back in because of my son.

21 Q Okay. When did you move back in?

22 A I moved back in -- I moved -- like what
23 date? Okay. So January -- I think -- hold on. I
24 moved back in in the -- December -- December,
25 January, February. Yeah. I moved back in in

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

17

1 December of two thousand -- what is it? Two
2 thousand -- I'm sorry.

3 Q Previously, you testified that Terrence was
4 there until 2018. So when did you --

5 A Yeah. He just -- because he moved out in
6 2018. Doesn't mean that I just -- I didn't move
7 right back in. So that's probably why I didn't
8 know exactly what was going on until I moved --
9 really moved in.

10 So I called the gas company --

11 THE COURT: Okay. All right.

12 (Simultaneous crosstalk.)

13 Q Excuse me?

14 A January 7th, that's when I --

15 Q When did you move back in?

16 A Okay. I moved back in before January 7th.
17 So that's why it was more, like, in December. I
18 didn't move in right away.

19 THE COURT: December of what year?

20 MS. LEIBA: Oh. December of 2019.

21 Q So Terrence left in 2018 and you didn't move
22 in until December of 2019?

23 A Yes. Yes.

24 Q Okay. So was Ms. Crawford still there?

25 A No. No. I haven't talked to Ms. Crawford

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 in a while. No. She was out of the picture.

2 Q So when Terrence moved in in 2018, do you
3 remember the month?

4 A The month? It's in September. September.

5 Q September of 2018; is that correct?

6 A Yes. Yeah.

7 Q Between September of 2018 and December of
8 2019, the place was vacant?

9 A Yeah, it was -- it was -- it was vacant. I
10 wasn't living there. My bills were coming there.
11 I didn't have clothes there or anything like that,
12 you know what I'm saying? So I was trying to,
13 like, do some things to the -- stuff like that.
14 You know what I was -- because I was --

15 Q Did you go there and inspect after Terrence
16 left?

17 A Yes, I did. Yes, I did inspect. Yes, I
18 did. I went -- I went all over the place. I
19 didn't go in the basement. For some reason, I
20 didn't go in the basement and I was by myself so I
21 don't know what precautions to inspect everything.

22 But even if I -- even if I would have went
23 in the basement, I still wouldn't have known what
24 that was -- what that was. I really did not know
25 what that was until the guy came and told me and I

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 started -- when he told me that, you know, I was
2 very, very concerned. I called the utility company
3 right away or -- and somebody came out right away.

4 I mean -- no. No. No. I called them
5 right -- once somebody came out, they told me what
6 was going on and I called the utility so they can
7 start whatever they were going to start. That's
8 when they told me, hey, we can't do it because of
9 this.

10 Q I think it was your previous testimony -- so
11 tell where did you live when Terrence lived there?

12 A I lived at my mom's.

13 Q What's the address?

14 A 4902 -- I'm sorry. I'm sorry. 425 South
15 56th Street.

16 Q 425 South 56th Street?

17 A Yes.

18 Q Do you have any proof that you lived there
19 since it was quite a number of years? Did you have
20 any --

21 A I still have -- I still have bills going --
22 my bills are still going to her -- not bills. My
23 mail is still going to her house. I can definitely
24 get the mail from her house very easily.

25 Q And you don't remember Terrence's last name?

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 A No. That's the -- his mail -- even
2 though -- I think, like, on the lease -- I can
3 check that when I go home. It's under a business
4 name, you know. It's under a business. So the
5 name -- the -- something-incorporate, you know,
6 corporation or something like that.

7 And I think that's why I kind of, you know,
8 don't know the last name.

9 Q Do you --

10 A But the lease -- I got to look at the lease.
11 The lease probably say his regular name or the
12 corporation or something like that.

13 I know that's what people do, you know, when
14 they don't want to -- you know, they put their
15 thing under a different -- that's a business. You
16 know what I'm talking about? Excuse me.

17 Q You leased the property to a business?

18 A To whatever name that he put there. He's
19 the business. He was there. He got his own --
20 whatever that was, you know. I'm not familiar with
21 that. But, yeah, it's under it. He put it under
22 his business. Yeah, he put it under his business,
23 whatever business that is. Yeah, under his
24 business. So I think that's why, you know, I don't
25 really remember his name.

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 Q So for the year the property was vacant, did
2 you notice that the gas service was on?

3 A No. I really, really did not. I didn't --
4 (Simultaneous crosstalk.)
5 (Court reporter interruption.)

6 Q -- at the property?

7 A Because I wasn't responsible to pay. The
8 only thing I was responsible to pay was the water
9 bill.

10 Q So --

11 A That's the only thing --

12 Q -- did you pay the water bill?

13 A Yes, I paid my water bill. Yeah, I paid my
14 water bill.

15 And as a matter of fact -- yeah, I paid my
16 water bill, but I had a lease while he was there so
17 when I went back in the house, my water bill was a
18 thousand dollars and I went on a payment plan. I'm
19 paying that every month.

20 Even when I was there, it was a leak.
21 Somebody finally went in the basement -- told me --
22 went in the basement. Said, hey, you got a leak
23 here and this going on. That's why your water
24 (unintelligible). I am paying that.

25 Q Who went in the basement?

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 A Excuse me?

2 Oh, it was a friend of mine. He told me
3 what was going on, and after my friend -- my friend
4 told me what was going on, I called the water
5 department and they had to come out and assess and
6 see what's going on.

7 And then I went from there --

8 Q Did your friend --

9 A -- because --

10 Q Does your friend do housing stuff? Do they
11 do plumbing or house maintenance stuff?

12 A Yeah. They do not do, like, plumbing or
13 nothing. They do, like -- like, house maintenance,
14 like you said. Like, building a kitchen or a
15 bathroom or something like that. But that wasn't a
16 service that I needed him to do.

17 Q So even though you said you don't know
18 anything about what gas service looks like, you
19 think they were -- they would be -- have a specific
20 amount of knowledge to know that there was
21 something --

22 A You know what, he probably -- he probably
23 would have known. He probably would of known if I
24 would of, you know, steered him in the right
25 direction. But the second -- I didn't know what

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 was going on. I couldn't say to him, hey, why
2 don't you go check my gas and see what's going on,
3 you know what I'm saying? Because I didn't know
4 myself. He saw -- he told -- he saw all that stuff
5 after the fact.

6 After the guy came out and told me what was
7 going on, I called him and he said, oh, my gosh.
8 This dude done got your stuff all -- he put --
9 yeah. And I -- you know. Oh, my God.

10 You know what, even if he would have got on
11 the phone and told you that, he probably
12 wouldn't -- I would have told him to say that, but
13 he would have said to you, yo, she did not know
14 what was going on. I had to tell her what this guy
15 did.

16 So I mean, I could put him on three-way so
17 he can say -- because --

18 Q Excuse me.

19 A -- I just didn't have any knowledge of a lot
20 of things that was going on.

21 Q Did he work for you at the property?

22 A Yeah. He started doing work for me. It
23 was, like, little stuff like ceiling fans. When I
24 first moved in, he did a lot of work in my house.
25 He did a lot of work.

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 And then when I moved back in, he was doing,
2 like -- understand -- and everything I wanted to
3 do, but he never got around to doing it.

4 Q During the year the property was vacant, as
5 you say when Terrence moved out before moved in,
6 did he do work for you at the property?

7 A Terrence? Oh, as a matter of fact, he did
8 do work at the property. He did. Because whenever
9 Terrence would call me, I would get him to work on
10 the house and stuff like that. I would get him to
11 do stuff.

12 I had a squirrel issue that he was working
13 on. You know, the squirrel is still there. You
14 know, they're like my family now. So, yeah, he did
15 do something with the squirrels, but they came
16 back.

17 Q Okay.

18 A Terrence used to call me a lot.

19 Q If I could just review.

20 One, you say your testimony was that you did
21 have a tenant at the property for a number of years
22 ending in September of 2018 and this person's name
23 was Terrence but he signed the lease as a business?

24 A No. No. I'm not saying he signed the lease
25 as a business. I'm going to have to look at the

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 lease and see if he signed as a business. Like I
2 said, that's why I don't remember his name. That's
3 what I had said before, but I can definitely look
4 at it and see.

5 Q Show us to prove to the public utility
6 commission that you actually did have a tenant.

7 You didn't -- you don't have that
8 information today to put into evidence at the
9 hearing, correct?

10 A Yeah. Yeah. Unfortunately.

11 Q And --

12 A I can actually probably call someone on the
13 phone so I can get -- I can put it on three-way so
14 you can get his name -- his last name because
15 they're actually -- they're friends and he's my
16 neighbor. They got to be best -- like, I don't
17 know about best friends, but, you know, he hung out
18 with him and stuff like that. He would know his
19 last name, I think.

20 If you want me to, I can do that because I
21 really do not remember -- see, I was going by his
22 business name, whatever business name, and I --

23 Q And you said you don't have any information
24 today to put in evidence at the hearing of --

25 A Right. Oh, yeah.

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 Q Excuse me. Excuse me.

2 To show that you lived at 425 South 56th
3 Street for the period that Terrence was there? You
4 don't have any of that evidence --

5 A Right.

6 Q You don't have anything to put into evidence
7 today regarding that either, do you?

8 A No. I think I did tell you when he moved in
9 and I think I told you when I moved out and I think
10 I told you when I moved in.

11 Q So when you called and you noticed --
12 switching gears.

13 When you called and you wanted gas service,
14 is it because you didn't have gas service or
15 because --

16 A No. I did. The whole time. I -- the whole
17 time when I wasn't there, I had the gas service so
18 I'm, like, okay, you know. So that's why I called
19 the utility person. I didn't call the gas service
20 right away because I wasn't there. It didn't -- it
21 wasn't -- it didn't matter to me. I'm like, okay,
22 well, he'll figure out in his name eventually, I
23 guess.

24 And when I tried to call him, I couldn't get
25 in touch with him and his number is changed. I

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 couldn't get in touch with him. My roommate -- I
2 said my roommate. My -- I'm sorry. I'm sorry. My
3 neighborhood told me that he changed his number.

4 (Court reporter interruption.)

5 A So my neighbor told me that he changed his
6 number so I couldn't really get in touch with him.

7 So the simple fact that I wasn't living
8 there, I figured, you know, he was going to get it
9 out of his -- you know, get it out of his name.

10 Come to find out, it didn't matter to him
11 because it's not in his name anyway.

12 So when I came back, I'm like, listen, I
13 don't want it in his name. I want it in my name.
14 You know, I don't to like -- you know -- you know,
15 do anything. So if that was the case, I wouldn't
16 have called the gas company if I really wanted to
17 steal. I would have just kept it like that and not
18 called the gas company.

19 Q I'll ask you: What prompted you to call the
20 day that you called PGW?

21 A What brought me -- okay. Okay. So I
22 decided -- so I was told at the time when I wanted
23 to live -- what brought me there.

24 When I decided I want to come back at that
25 particular time, I said to myself, listen, I'm

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 going to call the gas company so they can put it in
2 my name.

3 It didn't matter as much when I wasn't
4 there. You understand what I'm saying? You know,
5 I wasn't there and it was -- I was thinking that it
6 was still in his name.

7 If it was still in his name, he's going to
8 be paying for it so nobody was stealing anything.
9 So that's what I was thinking. Nobody stealing
10 anything because if he -- if he -- if he -- he has
11 to pay because it's in his name, right? So I
12 didn't do anything wrong, but on that part by not
13 calling anyone because it's in somebody's name.
14 Come to find out, it wasn't.

15 Q So --

16 (Simultaneous crosstalk.)

17 A -- that makes sense.

18 Q So if the gas was on after he left but
19 before you called, whose responsibility is that?

20 A Before -- before I called? You said who
21 responsibility is it?

22 Q If the gas was still on after he left but
23 before you called, who benefited from the gas being
24 on?

25 A Well, nobody really benefitted from it

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 because I wasn't there, and the time when I was,
2 like, coming in and peeping in and trying to do
3 certain things, you know, I really didn't -- you
4 want to say I benefitted from it on that angle. I
5 don't know what to say because I don't really think
6 that I really benefitted from it. I wasn't there a
7 lot at all. At all. That space wasn't even --

8 Q At the time Terrence left, did you go there
9 -- since you went there to do little things, did
10 you go there to clean up after he left?

11 A Yes, I did.

12 Q Did you go during the winter?

13 A During the winter?

14 Q Yes.

15 A Well, I was more so kind of lazy up -- but,
16 see, that's -- I didn't go there -- it wasn't that
17 much to do at the house. It wasn't that much to do
18 at the house. I wanted to, like, vacuum the
19 carpet, you know, stuff like that. Even though it
20 was already vacuumed, like --

21 (Simultaneous crosstalk.)

22 (Court reporter interruption.)

23 Q -- clean --

24 A I just, like, cleaned up the -- cleaned up
25 the kitchen. I did little stuff like that. He

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 didn't leave it in bad condition at all.

2 Q When you did that, when you did that little
3 bit of house cleaning, did you use hot water?

4 A Did I use hot water?

5 Q Yeah.

6 A Okay. Yes, I used the hot water. Yes, I
7 did. Yes, I did use it.

8 I was trying to call him. I figured he
9 would have got it out of his name. Terrence was an
10 okay person. He wasn't a person that would be,
11 like, oh, my gosh. He was -- me and him was fine,
12 you know. So I was trying to reach out to him to
13 say, hey, you know, the things are on -- I mean, is
14 on and you need to, you know, turn it off.

15 I couldn't get in touch with him. I tried
16 to call him. I even called my next-door neighbor
17 to try to get in touch with him and stuff like
18 that. I guess my next-door neighbor told him and
19 he just didn't care. Right? Because he got it
20 illegally. But I did try to reach out to him.

21 I mean, I don't understand --

22 Q My final question is: When did Rosemary
23 Crawford move out?

24 A Oh, my gosh. All -- utility -- when she
25 moved out -- right after we supposed to -- when he

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 was supposed to move in. And I said that was,
2 what, 2010?

3 Q Okay. Thank you.

4 MR. FARINAS: NO further cross-examination
5 of Ms. Leiba.

6 MS. LEIBA: Can -- I need to ask -- let me
7 say an important thing. So I need to know.

8 So I'm filing bankruptcy so I'm trying to
9 figure out -- I should have told y'all that before
10 anything, but I am trying to file bankruptcy. Already
11 in the first process of it and have a court appointment
12 at the end of this month.

13 I just want know how much was at -- does it
14 make sense for me to do this if I'm filing bankruptcy
15 and I'm surprised that y'all don't know any admission
16 about that.

17 MR. FARINAS: Well, unless --

18 (Simultaneous crosstalk.)

19 THE COURT: Unless you tell us, we don't
20 know.

21 MS. LEIBA: Oh, okay. I figured --

22 THE COURT: So do you have an attorney
23 representing you in the bankruptcy filing?

24 MS. LEIBA: Yeah. Okay. So --

25 THE COURT: You can have your attorney in

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 the bankruptcy filing let us know.

2 MS. LEIBA: I think it's an attorney
3 that's -- yeah. Okay. I think it's an attorney that
4 came with the courts.

5 THE COURT: Tell the attorney. I'm sure you
6 have his name or her name or paperwork --

7 MS. LEIBA: I don't have anything -- yeah.

8 THE COURT: Okay. Okay. When you get it --
9 when you get it, let us know, and depending where your
10 case is --

11 MS. LEIBA: Okay.

12 THE COURT: -- then we can take further
13 steps.

14 Technically, if you filed bankruptcy and
15 you're in the right stage, your attorney will let us
16 know and we will stop the process here. We'll stay the
17 process --

18 MS. LEIBA: Okay.

19 THE COURT: -- and wait to find out what the
20 resolution of the bankruptcy is --

21 MS. LEIBA: Yeah.

22 THE COURT: -- but we need something to tell
23 us, like, your bankruptcy case number.

24 MS. LEIBA: That's fine. I do have a
25 bankruptcy case number. I do have that. Hold on. Let

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 me see if I have it with me. I got it in my phone. It
2 don't matter. You want it now? I can give it to you
3 now.

4 THE COURT: Okay.

5 MS. LEIBA: All right. Let me go to my
6 notes in my phone. I keep everything in my --
7 bankruptcy. Okay. So the case number is 2011631. And
8 bankruptcy classes -- oh, that's something different.
9 Never mind. Okay.

10 So you got the number?

11 THE COURT: Yeah. 2011631.

12 MS. LEIBA: Yeah. I actually filed this
13 bankruptcy (unintelligible) --

14 (Court reporter interruption.)

15 MS. LEIBA: Yeah, I filed this with
16 bankruptcy today actually. I mean, not -- when you
17 first called me, I thought it was my bankruptcy case.

18 THE COURT: All right. So -- all right. So
19 when did you file it? When did you file the bankruptcy?

20 MS. LEIBA: I filed my bankruptcy -- this
21 was a while ago. It was before corona. It was before
22 corona. So let's see. Okay. Let me see. Case number.
23 What date? Federal. Okay. Address. I don't have
24 the -- okay. Bankruptcy dates. Bankruptcy classes.
25 And that was May of -- May 13, 2020. That was my

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 bankruptcy classes. So that means I filed -- I filed
2 before the classes so maybe it was in May. It was in
3 May or April.

4 MR. FARINAS: If I may, Ms. Glace is going
5 down her office because she has more access to customer
6 information than I do in my office and she's going to
7 check if there was a bankruptcy -- you know.

8 THE COURT: Filed?

9 MR. FARINAS: Okay.

10 MS. LEIBA: That's fine. Thank you so much.

11 THE COURT: So with the case number you
12 provided, I understand that (unintelligible) is going to
13 see if the bankruptcy court or bankruptcy attorney sent
14 something to PGW where -- and if that is the case, if
15 anything is on file with PGW -- because there's nothing
16 filed with the commission. I mean, this is --

17 MS. LEIBA: Well, maybe because -- maybe
18 because I'm still in the process. I'm supposed to be
19 where y'all would see that right away.

20 THE COURT: I understand. That's what I'm
21 saying, that I do have an attorney already assigned to
22 you, the attorney can send me a letter saying.

23 MS. LEIBA: Yeah.

24 THE COURT: And then --

25 (Simultaneous crosstalk.)

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 THE COURT: -- stop the process.

2 MS. LEIBA: Okay.

3 THE COURT: We might stop the process.

4 But at this point, I would suggest that you
5 have the hearing today and that you let us know -- if
6 you have an attorney, contact the attorney, ask tell him
7 or her to contact us and then we will stop everything.
8 I mean -- so -- but if I hear from your attorney before
9 that, then I can -- I can stop -- issue the decision and
10 wait for the outcome of the bankruptcy.

11 MS. LEIBA: All right. Thank you.

12 THE COURT: Because -- so -- because there's
13 two outcomes, discharge it or dismiss it, and if they
14 discharge it, it changes your outstanding balance or if
15 they dismiss it --

16 MS. LEIBA: Okay. Thank you.

17 THE COURT: We'll have to go -- but thanks
18 for letting us know. At least we know what to.

19 MS. LEIBA: Yeah.

20 THE COURT: So -- yeah.

21 But, also, this is, like, homework for you.
22 Look out for the name of your bankruptcy attorney. Once
23 you get the name, contact that person and tell them
24 what's going on with PGW and tell him to act now.

25 All right?

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 MS. LEIBA: Thank you. I appreciate it.

2 THE COURT: All right. Okay.

3 Mr. Farinas, do you have any other questions
4 for Ms. Leiba?

5 MR. FARINAS: Actually, from the number --
6 I'm vaguely familiar with bankruptcy matters, but from
7 the number, it's 2011. That suggests that it was filed
8 in 2011.

9 But you're saying you filed it as recently
10 as several months ago?

11 MS. LEIBA: Oh, I mean -- thank you. He's
12 saying that the day that I said was wrong?

13 MR. FARINAS: No. I'm saying the date --
14 saying it's suggesting that it was filed before 2020.

15 So are you saying you still --

16 MS. LEIBA: No. It was in 2020. It was --
17 May 13th of 2020. That's when I went to my bankruptcy
18 process. So that means it was before May 13, 2020. I
19 just -- I'm just telling you what date my bankruptcy
20 class. I just --

21 (Simultaneous crosstalk.)

22 THE COURT: -- bankruptcy.

23 What was the bankruptcy case number? Did
24 they give you a case number or a docket number?

25 MS. LEIBA: Yeah. I just gave -- so the

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 number I gave you --

2 THE COURT: It doesn't have --

3 (Simultaneous crosstalk.)

4 (Court reporter interruption.)

5 MS. LEIBA: Let me look at it again. Look
6 at it again. I'm still --

7 MR. FARINAS: Your Honor, Ms. Glace has
8 returned with a screenshot of Ms. Leiba's bankruptcy
9 filing. She filed a Chapter 7 on March 2020. And it is
10 number 2011631.

11 THE COURT: Okay. Okay. All right.

12 MS. LEIBA: Oh, he got it. All right.

13 THE COURT: We got it. Okay. All right.

14 Since she filed it, I think we can stay the
15 hearing -- stay the case and wait for the outcome of the
16 bankruptcy.

17 MS. LEIBA: Yeah.

18 THE COURT: Wait. We're halfway through the
19 hearing.

20 So, Mr. Farinas, did you have an objection
21 to that?

22 MR. FARINAS: I have no objection to the
23 staying of the hearing due to the pendency of the
24 bankruptcy matter filed on March 13, 2020.

25 THE COURT: Okay. So we'll stay the hearing

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 as well, and depending on what the outcome is, we can
2 either pick up where we left off if it's something
3 that -- within a few months, we can pick up where we
4 left off or we can start over again.

5 (Simultaneous crosstalk.)

6 (Court reporter interruption.)

7 THE COURT: -- and once it's released from
8 bankruptcy, the bankruptcy court says your case is done
9 and closed, then usually they let PGW know and
10 (unintelligible) your creditors know, and then if they
11 are a creditor -- and in this case would be PGW, I'm
12 assuming PGW will tell me that this case is -- the case
13 is closed and we can continue and we can pick up where
14 we left off.

15 Okay?

16 It seems like -- do you have any objection
17 to doing that?

18 Technically, it's just a small matter. It's
19 a matter of we continue with the hearing but I do not
20 issue a decision or a matter of we stop the hearing and
21 we pick up where we left off because this is the first
22 that I hear we need to have of it.

23 So let's stop the hearing and we'll pick up
24 where we left off.

25 All right?

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 MS. LEIBA: Yes. That makes sense.

2 THE COURT: This is -- I mean, the
3 bankruptcy court could discharge your debt, wipe it out
4 or they could dismiss your case and still have the debt.

5 So if we pick up, once the bankruptcy case
6 is closed, be prepared. You know the questions that
7 Mr. Farinas asked you.

8 (Simultaneous crosstalk.)

9 (Court reporter interruption.)

10 MS. LEIBA: Okay.

11 THE COURT: So you know what he's looking
12 for, what I'm looking for. If he asks you about the
13 name of your tenant, the full name, your lease --

14 MS. LEIBA: Yes.

15 THE COURT: -- i mean who signed the lease,
16 how long, where were you, where was Terrence, what time,
17 when you left, you lived -- you said you lived with your
18 mother for a while at your mother's property.

19 MS. LEIBA: Yes.

20 THE COURT: So -- you know. You know --

21 MS. LEIBA: I know all --

22 THE COURT: You know what you need to do.

23 If you have a person that can support your
24 testimony, have a name or is knowledgeable about your
25 tenant's whereabouts or activities, you can bring the

NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing

1 person -- you can bring two witnesses, so you can
2 bring --

3 MS. LEIBA: Yes.

4 THE COURT: So you know now how this --
5 how -- what you can say.

6 Okay? So you know now --

7 MS. LEIBA: Yes. Yes.

8 THE COURT: -- So the next then you'll be
9 better prepared.

10 MS. LEIBA: All right. Thank you. Buh-bye.

11 THE COURT: All right. (Unintelligible.)

12 So, Mr. Farinas, is there anything else to
13 add? Mr. Farinas?

14 MR. FARINAS: No. No. Thank you. Nothing
15 further, your Honor. Thank you.

16 THE COURT: Okay. Nothing further? Okay.
17 Thank you.

18 Then this concludes today's hearing. The
19 case is stayed based on the finding of a bankruptcy
20 case -- bankruptcy petition -- bankruptcy filing by
21 Ms. Leiba and we will stay the case until we hear back
22 from the bankruptcy court.

23 All right. Thank you very much.

24 (Whereupon, the hearing was concluded at
25 11:08 a.m.)

**NETWORK DEPOSITION SERVICES
Transcript of Leiba PUC Hearing**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Samantha McNett, Notary Public